

ELLEN F. ROSENBLUM
Attorney General
JESSICA SPOONER #105919
Assistant Attorney General
Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 947-4700
Fax: (503) 947-4791
Email: Jessica.Spooner@doj.state.or.us

Attorneys for Defendant Kidwell

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Aracely Hernandez,

Plaintiff,

v.

Coffee Creek Correctional, Cpl. Kidwell, C/O
Kirshmann, C/O Blair, Cpl. Moody, Sergeant
Jane and Joe Doe,

Defendants.

Case No. 3:18-cv-01763-MK

DEFENDANT ADAM KIDWELL'S OFFER
OF JUDGMENT TO PLAINTIFF

TO: Aracely Hernandez, by and through her attorney John D. Burgess,
Law Offices of Daniel Snyder, 1000 SW Broadway, Suite 2400, Portland, OR 97205

Pursuant to Fed. R. Civ. P. 68, Defendant Adam Kidwell hereby offers to settle this matter and allow entry of judgment in favor of Plaintiff and against them in the sum of Two Hundred and Fifty-One Dollars (\$251.00), plus reasonable, legally recoverable attorney's fees and costs incurred by Plaintiff through the date of service of this Offer of Judgment. Plaintiff's attorney fees and costs shall be determined pursuant to Fed. R. Civ. P 54, LR 54-1, LR 54-3 or other applicable Federal Rule.

Pursuant to Fed. R. Civ. P. 68, this offer is not to be construed as an admission for any purpose.

If this offer is not accepted within fourteen (14) days of the date of the offer, it shall be deemed to be revoked.

DATED April 5, 2023.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ Jessica Spooner

JESSICA SPOONER #105919

Assistant Attorney General

Trial Attorney

Tel (503) 947-4700

Fax (503) 947-4791

Jessica.Spooner@doj.state.or.us

Of Attorneys for Defendant Adam Kidwell

PLAINTIFF [ACCEPTS X /DECLINES] DEFENDANT'S OFFER OF JUDGMENT

s/ John Burgess

JOHN D. BURGESS, OSB #106498
Attorney for Plaintiff

DATED: 04/06/2023

CERTIFICATE OF SERVICE

I certify that on April 5, 2023, I served the foregoing DEFENDANT ADAM KIDWELL'S OFFER OF JUDGMENT TO PLAINTIFF upon the parties hereto by the method indicated below, and addressed to the following:

John D. Burgess
Law Offices of Daniel Snyder
1000 SW Broadway, Suite 2400
Portland OR 97205-3054
Attorney for Plaintiff

☐ HAND DELIVERY
☒ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☒ E-MAIL:
Johnburgess@lawofficeofdanielsnyder.com
mikaela@lawofficeofdanielsnyder.com
☐ E-SERVE

s/ Jessica Spooner

JESSICA SPOONER #105919
Assistant Attorney General
Trial Attorney
Tel (503) 947-4700
Fax (503) 947-4791
Jessica.Spooner@doj.state.or.us
Of Attorneys for Defendant Kidwell